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PAPERWORK REDUCTION ACT SUBMISSION

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1. Agency/Subagency originating request Dept. of Homeland Security/US Coast Guard		2. OMB control number a. <u>1 6 2 5 - 0 0 8 2</u> b. <input type="checkbox"/> None	
3. Type of information collection (check one) a. <input type="checkbox"/> New collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input checked="" type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note item A2 of Supporting Statement instructions		4. Type of review requested (check one) a. <input checked="" type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by: ___/___/___ c. <input type="checkbox"/> Delegated 5. Small entities. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		6. Requested expiration date a. <input checked="" type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: ___/___	
7. Title Navigation Safety Information and Emergency Instructions for Certain Towing Vessels			
8. Agency form number(s) (if applicable) n/a			
9. Keywords Emergency instructions, Equipment, Marine safety, Navigation safety, Towing vessel			
10. Abstract Navigation safety regulations help assure that the mariner piloting a towing vessel has adequate equipment, charts, maps, and other publications. For inspected towing vessels, a muster list and emergency instructions provide effective plans and references for crew to follow in an emergency situation.			
11. Affected public (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input checked="" type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Gov't		12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Voluntary b. <input checked="" type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory	
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>5,822</u> b. Total annual responses <u>35,632</u> 1. Percentage of these responses collected electronically <u>10</u> % c. Total annual hours requested <u>367,701</u> d. Current OMB inventory <u>281,998</u> e. Difference f. Explanation of difference <u>+ 85,703</u> 1. Program change 2. Adjustment <u>+ 85,703</u>		14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs b. Total annual costs (O&M) c. Total annualized cost requested d. Current OMB inventory e. Difference f. Explanation of difference 1. Program change 2. Adjustment	
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics d. <input type="checkbox"/> Audit g. <input checked="" type="checkbox"/> Regulatory or compliance		16. Frequency of recordkeeping or reporting (check all that apply) a. <input checked="" type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe)	
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Mr. David Du Pont</u> Phone: <u>(202) 267-0971</u>	

**Supporting Statement
for
Navigation Safety Information and Emergency Instructions
for Certain Towing Vessels**

A. JUSTIFICATION

1. Circumstances that make the collection of information necessary.

This information collection has 2 parts. Whereas the first part concerns navigation safety, as addressed in 33 CFR Section 164, the second part concerns inspected towing vessel safety as addressed in 46 CFR Section 199.80.

Part 1) Navigation Safety Information:

The Ports and Waterways Safety Act (Pub. L. 92-340) requires that increased supervision of vessel and port operations is necessary in order to insure that vessels operating in the navigable waters of the United States shall comply with all applicable standards and requirements for vessel equipment and operational procedures. The Navigation Safety Information collection requirements described in this supporting statement are necessary to comply with 33 CFR Part 164.

Part 2) Muster List and Emergency Instructions:

According to 46 CFR Section 199.80, a muster list and emergency instructions are required for certain inspected vessels, which includes inspected towing vessels. The need for the muster list and emergency instructions are to provide a plan of action in the event of an emergency. This plan of action would 1) reduce the risk of personnel injuries during an emergency; and 2) increase the crew's fire fighting capability so that the likelihood of a small fire jeopardizing a towing vessel's propulsion is decreased.

This information collection supports the following strategic goals:

Coast Guard:

- Safety
- Protection of Natural Resources

Marine Safety, Security and Environmental Protection Directorate (G-M)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2. By whom, how, and for what purpose the information is to be used.

Navigation Safety Information:

Sections 164.70 through 164.82 apply to each towing vessel¹ of 12 meters (39.4 feet) or more in length operating in the navigable waters of the U.S. other than the St. Lawrence Seaway; except that a towing vessel is exempt from the requirements of Section 164.72 if it is:

- (1) Used solely within a limited geographic area, such as a fleeting-area for barges or a commercial facility, and used solely for restricting service, such as making up or breaking up larger tows;
- (2) Used solely for assistance towing as defined by 46 CFR 10.103;
- (3) Used solely for pollution response; or
- (4) Any other vessel exempted by the Captain of the Port (COTP). The COTP, upon written request, may, in writing, exempt a vessel from Section 164.72 for a specified route if he or she decides that exempting it would not allow its unsafe navigation under anticipated conditions.

Section 164.72 has both equipment and information requirements. In addition to the chart/map requirements for areas to be transited, the information requirements are:

- (A) For towing vessels that tow exclusively on Western Rivers:
 - (1) U.S. Coast Guard Light List.
 - (2) Notices to Navigation or Local Notices to Mariners.
 - (3) River-current Tables.
- (B) For towing vessels that do not tow exclusively on Western Rivers:
 - (1) U.S. Coast Guard Light List.
 - (2) Local Notices to Mariners.
 - (3) Tidal-current Tables or River-current Tables.
 - (4) Tide Tables.
 - (5) U.S. Coast Pilot.

Section 164.74 concerns towline and terminal gear for towing astern, and has three information collection requirements:

- (1) A record of the towline's minimum breaking strength (as determined by the manufacturer, by a classification society authorized in Section 157.04 of this chapter, or by a tensile test) must be kept either on board the towing vessel or in company files.
- (2) A record of each re-test of the towline's minimum breaking strength as determined by a class society or tensile test must be kept on board the towing vessel or in the company files if a towline is re-tested for any reason.
- (3) A record of the material condition of the towline when inspected must be kept either on board the towing vessel or in company files.

Section 164.78 concerns when towing vessels are underway, and has one information collection requirement:

¹ According to Section 164.70, a towing vessel means a commercial vessel engaged in or intending to engage in pulling, pushing or hauling alongside, or any combination of pulling, pushing, or hauling alongside.

- (1) Results of tests and inspections must be entered in the log or other record carried on board. The owner, master, or operator or each vessel towing shall ensure that the tests and inspections required by Section 164.80 are conducted and that the results are entered.

Section 164.82 concerns the maintenance, failure and reporting of navigational-safety equipment, and has two information collection requirements:

- (1) Enter failure of any navigational-safety equipment required by Section 164.72 in the log or other record carried on board the towing vessel.
- (2) Report to the Vessel Traffic Center (VTS) while towing vessel is operating within a VTS Area if:
 - a. Any absence or malfunction of vessel-operating equipment for navigational safety,
 - b. Any condition on board the vessel likely to impair navigation, or
 - c. Any characteristics of the vessel that affect or restrict the maneuverability of the vessel.

Notify the Captain of the Port (COTP) and seek from the COTP both a deviation from the requirements of Section 164.82 and an authorization for continued operation in the area if towing vessel is unable to repair within 96 hours an inoperative marine radar as required by Section 164.72(a). The initial notice and request for a deviation may be spoken, but the request must also be written. The written request must explain why immediate repair is impracticable, and state when and who will make the repair. The deviation is handled in a separate collection of information (2115-0540).

The above information ensures that the towing vessel operator record information that is necessary for the safe operation and maintenance of the vessel. It also serves as a way for Coast Guard inspectors to determine if a vessel is in compliance or in the case of a casualty, whether failure to meet these regulations contributed to the casualty. This information is very important to the Coast Guard's integrated risk management program (which combines risk assessments and risk management).

Muster List and Emergency Instructions:

According to 46 CFR 199.80, "Copies of the muster list must be posted in conspicuous places throughout the vessel included on the navigating bridge, in the engine room, and in crew accommodation spaces."

3. Consideration of the use of improved information technology.

Navigational Safety Information:

Marine maps, charts, and general publications can be in printed format, and a future rulemaking may permit electronic charts. The record of a towline's material condition, initial minimum breaking strength and record of retest can be kept on board or in a company's files. This information can be stored either on paper or electronically.

Similarly, the results of the tests and inspections required by Section 164.80 can be entered in the vessel's log or otherwise recorded and carried on board.

Muster List and Emergency Instructions:

Copies of the muster list and emergency instructions must be conspicuously displayed in multiple places. Typically, this means they are in paper form.

For the entire collection, we estimate that 30% of the recordkeeping requirements can be done electronically. At this time, we estimate that 10% are done electronically.

4. Efforts to identify duplication. Why similar information cannot be used.

No other Federal agency requires similar information. No State or local governments have regulations that provide similar information.

5. Methods to minimize the burden to small businesses if involved.

The Navigation Safety Information collection was designed to give vessel owners to minimize the burden without compromising the safety of the vessels and their crews. Similarly, the requirements for the muster list and emergency instructions have been designed to minimize the burden to all owners/operators.

6. Consequences to the Federal program if collection were not done or conducted less frequently.

Navigation Safety Information:

If information collection were conducted less frequently, compliance to the navigation safety requirements may not be verifiable. Although the Coast Guard believes that most prudent operators already employ most of these safety tools, these regulations are intended to codify these requirements, and force compliance by those vessels not conforming to the safety practices of the majority of the industry. Without frequent information collection, there would be no means for the owner or operator of a towing vessel to be held accountable for adequate navigational safety equipment.

Muster List and Emergency Instructions:

A muster list can be developed that would be effective during the operational life of the towing vessel. Similarly, emergency instructions can be developed that require few changes over time. If the collection were conducted less frequently, it would not meet the requirements of the law, and pose risks to vessels and crews in the event that they were either not informed or misinformed on how to act during an emergency. Muster list and emergency instructions provide an effective plan for assigning vessel personnel stations and duties during times of emergency. The requirement to maintain and post the muster lists provides a quick visual reference which crew members can view to find out where to go in an emergency situation.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with guidelines.

Navigation Safety Information:

Does not apply.

Muster List and Emergency Instructions:

The muster list may be a record older than 3 years because it can be effective during the operational life of the vessel.

8. Consultation.

The regulations were developed using the Federal rulemaking process.

9. Explain any decision to provide payment or gift to respondents.

No payment or gift has been given to respondents.

10. Describe any assurance of confidentiality provided to respondents.

No information of a confidential nature is required and no assurance of confidentiality is required.

11. Additional justification for any questions of a sensitive nature.

No sensitive questions are asked of the respondents.

12. Estimates of reporting and recordkeeping hour and cost burdens of the collection of information.

- According to the Coast Guard's Marine Safety Management System (MSMS) database, there are **5,822** documented towing vessels (i.e., respondents) that will be impacted by the collection.
- The total annual hour burden to respondents is **367,701** (367,699 hours for Navigational Safety Information and 2 hours for Muster List & Emergency Instructions).
- The total annual cost to respondents is **\$11,031,030** (\$11,030,970 for Navigational Safety Information and \$60 for Muster List & Emergency Instructions).

The total annual hour burden of the Navigation Safety Information Collection is estimated to be **367,699** hours. See Tables 2 and 3 below.

Table 2: Unit Hour Burden of Navigation Safety Information Collection

Type of Information	CFR Section	Hour Burden
Written request for exemption	164.01	1.00
Marine Charts & Maps	164.72	0.33
General Publications	164.72	0.33
Record of breaking strength	164.74	0.33
Record of retest	164.74	0.33
Record of material condition	164.74	0.33
Record of tests & inspections	164.78	0.25
Record failure of any navigational-safety equipment	164.82	0.25
Report to VTS of impaired equipment	164.82	0.08

Table 3: Annual Hour Burden

Type of Information ²	Hour Burden	Freq. Per Vessel	Hours Per Vessel	Number of Vessels/Year	Total Annual Hour Burden
Exemption request	1.00	1	1.00	10	10
Marine charts/maps	0.33	52	17.16	5,822	99,906
General pubs.	0.33	52	17.16	5,822	99,906
Breaking record	0.33	16	5.28	5,812	30,687
Condition record	0.33	16	5.28	5,812	30,687
Retest record	0.33	16	5.28	5,812	30,687
Test/Inspection rec.	0.25	52	13.00	5,822	75,686
Failure record	0.25	1	0.25	429 ³	107
VTS report	0.08	1	0.08	291 ⁴	23
TOTAL					367,699

We expect the number of towing vessels (with Certificates of Inspection) will vary by a small amount from year to year, and an average of 1 will have to make changes to its muster list or emergency instructions each year. Assuming an hour burden of one hour per year per vessel, we expect the total annual hour burden would be 2 hours. See Table 4.

² Marine charts/maps, general publications and test/inspection record are updated typically once a week; the other items listed are approximations.

³ Data obtained from G-MWV.

⁴ We estimate that approximately 5% of the vessels report to a VTS ($5,822 \times .05 = 291$).

Table 4: Annual Hour Burden of Muster List and Emergency Instructions

Information Type	Unit Hour Burden	Freq. Per Vessel	Hours Per Vessel	Number of Vessels Per Year	Total Annual Burden
Muster List	1.00	1	1.00	1	1
Emergency Inst.	1.00	1	1.00	1	1
TOTAL					2

The total annual cost of the Navigation Safety Information Collection to respondents is **\$11,030,970**. See Table 5.

Table 5: Annual Cost of Navigation Safety Information Collection

Info. Type	Hours Per Year	Cost Per Hour	Total Annual Cost
Exemption request	10	30 ⁵	\$300
Marine maps/charts	99,906	30	2,997,180
General pubs.	99,906	30	2,997,180
Strength record	30,687	30	920,610
Retest record	30,687	30	920,610
Condition record	30,687	30	920,610
Test/Insp. record	75,686	30	2,270,580
Failure report	107	30	3,210
VTs report	23	30	690
TOTAL	367,699		\$11,030,970

The total annual cost of the Muster List and Emergency Instructions Information Collection to respondents is **\$60**. See Table 6.

Table 6: Annual Cost of Muster List & Emergency Instructions Collection

Info Type	Hours Per Year	Cost Per Hour	Total Annual Cost
Muster List	1	30	\$30
Emergency Inst.	1	30	30
TOTAL	2		\$60

The total annual cost to respondents is **\$11,031,030** (\$11,030,970 for Navigational Safety Information and \$60 for Muster List & Emergency Instructions).

The total annual hour burden to respondents is **367,701** (367,699 hours for Navigational Safety Information and 2 hours for Muster List & Emergency Instructions).

13. Estimates of annualized capital and start-up costs.

There are neither capital nor start-up costs.

⁵ Average hourly rate of master of towing vessel (pay plus benefits). We will keep the master as the performer of this type of work; however, a second mate could also perform this type of work as well.

14. Estimates of annualized Federal Government costs.Navigation Safety Information:

Government costs come from reporting of safety inspections of equipment for operability and maintenance, inspections of publications and charts, and review of requested exemptions. Although an overwhelming majority of towing vessels do not have Certificates of Inspection (COI), there are random inspections of towing vessels without a COI. Plus, any towing vessel involved in a marine casualty is inspected. We estimate that approximately **5 percent of the vessels are randomly inspected each year.**

The total annual hour burden of the Navigational Safety Collection to the Federal Government is estimated to be **168** hours.

Table 7: Annual Hour Burden of Navigational Safety Collection

Type of Information	Hour Burden	Freq. Per Vessel	Hours Per Vessel	Number of Vessels/Year	Total Annual Hour Burden
Exemption request	0.50	1	0.50	10	5
Marine charts/maps	0.08	1	0.08	291	23
General pubs.	0.08	1	0.08	291	23
Breaking record	0.08	1	0.08	291	23
Condition record	0.08	1	0.08	291	23
Retest record	0.08	1	0.08	291	23
Test/Inspection rec.	0.08	1	0.08	291	23
Failure record	0.08	1	0.08	21	2
VTs report	0.08	1	0.08	291	23
TOTAL					168

We assume a Lieutenant with an hourly wage of \$43 reviews the exemption request. A LTJG with an hourly wage of \$35 reviews the other items (per *COMDTINST 73101.1F*). The total cost of the Navigational Safety Collection to the Federal Government is **\$5,920**.

Table 8: Annual Cost Burden of Navigational Safety Collection

Type of Information	Total Annual Hour Burden	Cost Per Hour	Total Annual Cost
Exemption request	5	43	\$215
Marine charts/maps	23	35	805
General pubs.	23	35	805
Breaking record	23	35	805
Condition record	23	35	805
Retest record	23	35	805
Test/Inspection rec.	23	35	805
Failure record	2	35	70
VTs report	23	35	805
TOTAL	168		\$5,920

Muster List and Emergency Instructions Information:

We estimate that each year one vessel would revise its muster list or emergency instructions. And we estimate that the Coast Guard inspects these changes during its annual inspection of the vessel. (Recall this requirement is for those vessels with a Certificate of Inspection).

The total annual hour burden of the muster list & emergency instructions collection to the Federal Government is 0.50 hours, and the total annual cost is **\$18**.

Table 9: Total Hour and Cost Burdens of Muster List & Emergency Inst. Collection

	Hr Burden	Freq. Per Vessel	Hrs Per Vessel	Total Hr Burden	Cost Per Hour	Total Ann. Cost
Muster	0.25	1	0.25	0.25		
Emerg.	0.25	1	0.25	0.25		
TOTAL				.50	35	\$18

The total hour burden of this collection of information to the Federal Government is **169** hours per year (**168** for Navigational Safety Equipment and **1** (.50 hours rounded to 1) for Muster Lists & Emergency Instructions). The total cost of this collection to the Federal Government is **\$5,938** per year (\$5,920 for Navigational Safety and \$18 for Muster Lists & Emergency Instructions).

15. Explain the reasons for the change in burden.

The change in burden is an ADJUSTMENT due to an increase in the vessel population.

16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis and publication.

The results of this collection are not published.

17. Approval to not display expiration date.

Not applicable.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not require the use of statistical methods.